

ENTERED

August 11, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

OLLIE JEWEL WILLIAMS,

Plaintiff,

VS.

WAL-MART STORES TEXAS, LLC,

Defendant.

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Civil Case No. 4:22-CV-04456

ORDER OF DISMISSAL

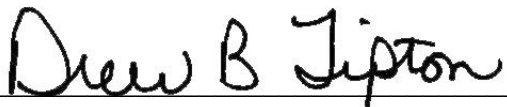
On July 19, 2023, the Court set a hearing on a discovery dispute. Plaintiff's attorney failed to appear. Plaintiff's attorney had also been instructed by the Court to file a response to the letter initiating the discovery dispute, which they failed to do. The Court set a show cause hearing on August 11, 2023 at 2:30 p.m. in Courtroom 8B so that the Plaintiff could demonstrate why this case should not be dismissed for failure to prosecute. (Dkt. No. 13). The Court warned: "If Plaintiff's attorney fails to appear, the Court will dismiss this case." (*Id.*). Plaintiff failed to appear. At the hearing, Defendant's counsel stated that Plaintiff's counsel said previously that they intended to dismiss this action.

The Court has the authority to dismiss a case for want of prosecution and failure to comply with its orders. Fed. R. Civ. P. 41(b) (providing for dismissal of an action "[i]f the plaintiff fails to prosecute or [] comply with [the Federal Rules of Civil Procedure] or a court order"). The Court finds that Plaintiff has failed to prosecute this case and has

failed to comply with orders of this Court. Accordingly, Plaintiff's claims are
DISMISSED WITHOUT PREJUDICE.

It is SO ORDERED.

Signed on August 11, 2023.



DREW B. TIPTON
UNITED STATES DISTRICT JUDGE